



December 18, 2020

Katherine Demarest  
kate.demarest@alaska.gov

Susan Orlansky  
susano@reevesamodio.com

*VIA EMAIL*

Re: *Tshibaka v. The Retired Public Employees of Alaska*  
Supreme Court No. S-17577

Dear Counsel:

Chief Justice Bolger has announced his retirement effective June 30, 2021, and he will then become eligible for the judicial retirement system and other public employee retirement benefits. It appears that a decision in this case may have a potential effect on the cost and extent of those benefits. It also appears that the issues involved may have a potential impact on benefits for most or all current judicial officers. Under these circumstances, the rule of necessity may require participation of judicial officers who could otherwise be disqualified. *Hudson v. Johnstone*, 660 P.2d 1180, 1183 (Alaska 1983).

Chief Justice Bolger has no personal bias or prejudice concerning any party or attorney in this case and can be fair and impartial. Either party may file a motion for disqualification by **December 28, 2020**. Failure to file such a motion will be construed as a decision to waive any potential disqualification.

Thank you for your attention to this matter.

Sincerely,

*M. Montgomery*  
Meredith Montgomery